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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/315,390	05/20/1999	STEPHEN CRANE	9567.4807	6469
22242	7590	12/18/2003	EXAMINER	
FITCH EVEN TABIN AND FLANNERY 120 SOUTH LA SALLE STREET SUITE 1600 CHICAGO, IL 60603-3406			VO, HAI	
			ART UNIT	PAPER NUMBER
			1771	

DATE MAILED: 12/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/315,390

Applicant(s)

CRANE, STEPHEN

Examiner

Hai Vo

Art Unit

1771

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 01 December 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 6 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☒ A Notice of Appeal was filed on 01 December 2003. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ they raise the issue of new matter (see Note below);
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.
NOTE: ____.
3. ☐ Applicant's reply has overcome the following rejection(s): ____.
4. ☐ Newly proposed or amended claim(s) ____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 25,26 and 29-32.

Claim(s) objected to: ____.

Claim(s) rejected: 1,2,4,5,9-11,13-15,23,33 and 35.

Claim(s) withdrawn from consideration: 16-22.

8. ☐ The drawing correction filed on ____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). ____.
10. ☐ Other: ____

Continuation of 5. does NOT place the application in condition for allowance because: The arguments that the Akimoto reference does not disclose or suggest a boat deck or a boat hull, therefore the present invention is novel and unobvious are not found persuasive. The phrases "boat deck," "boat hull" can be anything such as a piece of wood, or a piece of steel. It appears that the composite material of the Akimoto reference meets all the structural limitations and chemistry of the claims (an acrylic foam being bonded to an outer acrylic skin). Further, the "boat hull" or "boat deck" appears to be the intended use of the composite material and there is no special structure associated with it in the claims. Further, Applicant argues that the Office Action does not address the limitations "the inner layer is attached to the foam core by an acrylic adhesive". The examiner disagrees. The limitations have been pointed out in the first paragraph at page 7 of the Office Action mailed on 09/24/02. "Akimoto, Steward and Stamper all disclose the use of adhesive to secure the outer acrylic films to the acrylic foam core, but they do not specifically disclose the use of an acrylic adhesive. Fay discloses the use of an acrylic adhesive to firmly bond an acrylic containing sheet to a foam layer. The acrylic adhesive of Fay sets by the heat produced by the foam formation, which allows for reduced production steps. It would have been obvious to the skilled artisan at the time this invention was made to use an acrylic adhesive as shown by Fay in the composite of Akimoto in view of Steward or Stamper, motivated by the desire to produce a firm bond between the acrylic films and foam core of the composite while minimizing additional processing steps". For the forgoing reasons, the examiner maintains that the art rejections over Akimoto are proper and thus sustained.



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